UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/816,125	03/26/2001	Hiroyasu Sugano	1405.1040	8745

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EXAMINER
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ART UNIT	PAPER NUMBER
2134	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

		Application No.	Applicant(s)
Office Action Summary		09/816,125	SUGANO ET AL.
		Examiner	Art Unit	
		Andrew L. Nalven	2134	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _11/2/2007_.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _2-4 and 6-23_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _2-4 and 6-23_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on _26 March 2001_ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☒ All   b) ☐ Some * c) ☐ None of:

      1. ☒ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   Claims 2-4 and 6-23 are pending.

Response to Arguments

2.   Applicant's arguments filed 2 November 2007 have been fully considered but are

not persuasive.

3.   Applicant argues on page 17 that the combination of Theimar and Cheng fail to

disclose the determination of how to process (allow/deny/inquire of a second user) a

requested communication based on a relationship between a first user and a second

user who received the communication request from the first user.   Examiner

respectfully disagrees. Theimar teaches disclose the determination of how to process

(allow/deny/inquire of a second user) a requested communication based on a

relationship between a first user and a second user who received the communication

request from the first user (Theimar, column 11 lines 3-6, column 10 line 67 - column 11

line 3, column 14 lines 43 - column 15 line 4) by disclosing policies restricting responses

to a subset of all possible clients. Thus, there is a relationship between the two users

whereby only certain users are permitted to contact a second user. Theimar is silent as

to the claimed attributes being a role based. Examiner relied upon the Cheng reference

merely to teach the role based nature of access control. Cheng discloses an attribute

defining a role based relationship between the first user requesting communication with

a second user (Cheng, column 13 line 34 – column 14 line 30) by teaching users are

assigned different roles that cover relationships among users. As a result, Examiner

maintains that Cheng and Theimar disclose all of the limitations of the presented claims.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

5.   Claims 2-4, 6 and 9-23 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Theimar et al US Patent No 5,493,692 in view of Cheng US Patent

No. 6,067,548.

6.   With regards to claims 2 and 23, Theimar teaches the storing of statuses of the

users (Theimar, column 7 lines 1-16, Figure 3), the preparing of a processing policy in

which processes for communication requests are set for each of the users (Theimar,

column 14 line 62 – column 15 line 15), the processes each in turn being according to a

first user from whom there is a request for communication with a second user (Theimar,

column 11 lines 3-6), to status of the second user with whom communication is

requested (Theimar, column 10 line 67 – column 11 line 3), to content of the requested

communication (Theimar, column 14 lines 43-48 and column 14 lines 62-64), the

processing policy including an attribute-assigning policy setting a relationship between

the first user requesting communication to the second user (Theimar, column 11 lines 3-

6, "policies restricting responses to a subset of all possible clients", column 7 lines 7-17

"interaction policies"), and storing the attribute-assigning policy (Theimar, column 9 lines

60-67). Theimar also discloses that when a request for communication occurs, there is

a step of looking up the attribute-assigning policy and information of the first user and

the second user (Theimar, column 10 line 66 – column 11 line 17, "check the current

settings of the user's policy" and "response contains information about the user and/or

UserAgent that the client is interested in"), determining and reporting to the

communication device a process for the request based, in the policy, on the second

user with whom communication is requested is completed (Theimar, column 14 lines

43-48, column 11 lines 6-17), and determining an attribute of a requester based on

stored user information or the attribute assigning policy (Theimar, column 11 lines 3-60).

Theimar fails to teach said attribute defining a role based relationship between the first

user requesting communication with a second user. However, Cheng teaches a

attribute defining a role based relationship between the first user requesting

communication with a second user (Cheng, column 13 line 34 – column 14 line 30,

users are assigned different roles that cover relationships among users, relationship

name). At the time the invention was made, it would have been obvious to a person of

ordinary skill in the art to utilize Cheng's role based method because it offers the

advantage of giving flexibility to organizational modeling and allowing unique dynamic

interrelationships among users using regular expressions (Cheng, column 3 lines 15-30).

7.   With regards to claims 3, 4, 9, 12-13, and 15-22, Theimar as modified, in addition to the features described above, further teaches a first storing means for storing information related to users (Theimar, column 7 line 65 – column 8 line 4), the processing policy including an attribute-assigning policy setting a relationship between the first user requesting communication to the second user (Theimar, column 11 lines 3-6, "policies restricting responses to a subset of all possible clients"), looking up the attribute-assigning policy and information of the first user and the second user (Theimar, column 10 line 66 – column 11 line 17, "check the current settings of the user's policy" and "response..contains information about the user and/or UserAgent that the client is interested in"), authentication means for verifying the communication requestor when a request for communication occurs (Theimar, column 11 lines 3-6), liaising means for acquiring from the communication device the communication requester, requestee, and content of the communication (Theimar, column 10 line 66 – column 11 line 6 and column 14 lines 43-48). Theimar further teaches an information recording means for accepting input of recording in the first storing means the information related to users (Theimar, column 9 lines 54-64, column 10 lines 3-7), a status recording means for accepting input of an recording in the storing means the statuses of the users (Theimar, column 9 line 60 – column 10 line 2), and a policy recording means for accepting input of and recording in the storing means the processing policy (Theimar, column 10 lines 3-7).

8.   With regards to claims 10, Theimar as modified, in addition to the features

described above, further teaches policy recording means accepting input of, and

records in the relay terminal (Theimar, column 7 lines 35-40).

9.   With regards to claims 6 and 11, Theimar as modified, in addition to the features

described above, further teaches an inquiry means for inquiring among communication

requestee terminals whether to permit the communication request (Theimar, column 10

line 66 – column 11 line 3) and for obtaining a reply to the inquiry (Theimar, column 11

lines 12-17).

10.   With regards to claims 14, Theimar as modified discloses the administering of

information related to statuses of the users (Theimar, column 7 lines 1-16, Figure 3), the

storing of users requesting the services, content of the requested services, and status of

the users related to the request services correlatively with processes for the service

requests (Theimar, column 10 line 66 – column 11 line 17). Theimar further discloses

that when a service request has been made by one user (Theimar, Figure 4 Item 126),

that statuses of the other users related to the service request are obtained (Theimar,

column 10 line 66 – column 11 line 3) and based on the one user who requested a

service, on the other users related to the requested service, and on the obtained user

status, the determining of a process for the service request is completed (Theimar,

column 10 line 66 – column 11 line 6 and column 14 lines 43-48).

11.   Claims 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Theimar et al US Patent No 5,493,692 and Cheng US Patent No. 6,067,548, as applied

to claim 1 above, and in view of Aggarwal et al US Patent No. 5,943,478.

12.   With regards to claim 7, Theimar as modified, as described above, teaches a

request instructing means for requesting information content related to a terminal from

other terminals (Theimar, column 9 lines 7-9), but fails to teach the request occurring if

the information is not recorded in the first storing means. Aggarwal teaches the

requesting of information content from another terminal if the information content is not

stored in the first recording medium (Aggarwal, column 3 lines 41-53). At the time the

invention was made, it would have been obvious to a person of ordinary skill in the art to

utilize Aggarwal's information requesting means because it offers the advantage of

allowing a terminal to send a message to any other terminal regardless of whether the

requesting terminal is known to a terminal previously (Aggarwal, column 1 line 58 –

column 2 line 2).

13.   With regards to claim 8, Theimar as modified, fails to teach a peripheral

information providing means for providing information content not stored in the first

recording means. Aggarwal teaches a peripheral information providing means that

provides information content related to terminals to a terminal in order to handle a

communication request (Aggarwal, column 3 lines 45-49).

Conclusion

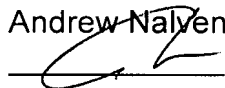14.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew L. Nalven whose telephone number is 571 272 3839. The examiner can normally be reached on Monday - Thursday 8-6, Alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Zand can be reached on 571 272 3811. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Andrew Nalven